

STATE OF WASHINGTON

Phone: (360) 725-7000

MIKE KREIDLER
STATE INSURANCE COMMISSIONER



FILED

2006 JAN 30 P 1:48

DECLARATION OF MAILING

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery of a true copy of this document to parties listed below
DATED this 30 day of January, 2006
at Tumwater, Washington.

Signed: Wendy Galloway

OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT

Fax: (360) 664-2782

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Hearings Unit, DIC
Wendy Galloway Patricia D. Petersen
Administrative Assistant Chief Hearing Officer
(360) 725-7002
WendyG@OIC.wa.gov.

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:

FIRST CHOICE HEALTH PLAN, INC.,

Appellant.

No. G05-71

Docket No. 2005-INS-0003

FINAL ORDER TERMINATING
PROCEEDING

TO: C. Dean Little
Attorney for First Choice Health Plan, Inc.
Blank Law & Technology, PS
2001 Western Avenue, Suite 250
Seattle, Washington 98121

AND TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
Carol Sureau, Deputy Commissioner, Legal Affairs
James T. Odiorne, Deputy Commissioner, Company Supervision
Andrea Philhower, Staff Attorney, Legal Affairs
PO Box 40255
Olympia, WA 98504-0255

On September 2, 2005 a Demand for Hearing, Request for Stay of Agency Action Pending Hearing was filed on behalf of First Choice Health Plan, Inc. (First Choice), by C. Dean Little, Esquire of Blank Law and Technology, P.S. of Seattle, Washington. The Demand for Hearing was filed in objections to the Examination Report filed by the Office of the Insurance Commissioner (OIC). On September 9, 2005, as requested by First Choice, the OIC, using its discretion, transferred this matter to the Office of Administrative Hearings (OAH) for an initial decision.



FINAL ORDER TERMINATING PROCEEDING

NO. G05-71

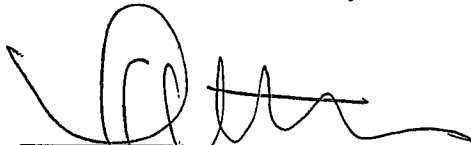
Page 2

On November 8 and 9, 2005, the parties executed a Stipulation to Withdrawal of Demand for Hearing and Dismissal of Matter herein. On November 10, 2005, an Order of Dismissal was entered by Administrative Law Judge, Rebekah R. Ross of the OAH in this matter, which the OAH identified as OAH Docket No. 2005-INS-0003 and G05-71. A copy of the Stipulation and the Order of Dismissal is hereby attached hereto and incorporated herein. However, because OAH's Order of Dismissal cannot contain a final order terminating this proceeding, it is necessary to enter this Final Order Terminating Proceeding at this time.

Based upon the above activity:

IT IS HEREBY ORDERED that, based upon Stipulation to Withdrawal of Demand for Hearing and Dismissal of Matter executed by the parties on November 8 and 9, 2005 which has been duly filed herein, Matter No. G05-71, also identified as OAH Docket No. 2005-INS-0003, is dismissed and this proceeding is terminated with prejudice.

ENTERED this 30th day of January, 2006, at Tumwater, Washington.

A handwritten signature in black ink, appearing to read 'Patricia D. Petersen', written over a horizontal line.

PATRICIA D. PETERSEN
Chief Hearing Officer

MAILED

NOV 10 2005

OLYMPIA OAH

STATE OF WASHINGTON
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE OFFICE OF THE INSURANCE COMMISSIONER

In Re:

FIRST CHOICE HEALTH PLAN, INC.

Appellant

OAH Docket No. 2005-INS-0003

Matter No. G05-71

ORDER OF DISMISSAL

Office of the Insurance Commissioner

The Appellant having withdrawn its Demand for Hearing in this matter; and the undersigned deeming herself to be fully advised in the premises, NOW THEREFORE,

ORDER

IT IS HEREBY ORDERED That this appeal should be and hereby is dismissed.

SERVED on the date of mailing.

WASHINGTON STATE
OFFICE OF ADMINISTRATIVE HEARINGS



Rebekah R. Ross, Administrative Law Judge
Office of Administrative Hearings
2420 Bristol Court SW
PO Box 42489
Olympia, WA 98504-2489
(360) 753-6261

Copies were mailed to the following:

Andrea Philhower
Staff Attorney
Office of Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255
Telephone: (360) 725-7063

C. Dean Little
Attorney at Law
Blank Law & Technology, PS
2001 Western Ave STE 250
Seattle, WA 98121
Telephone: (206) 256-9699

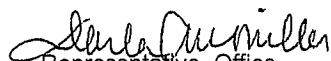
First Choice Health Plan, Inc.,
c/o C. Dean Little
Attorney at Law
Blank Law & Technology, PS
2001 Western Ave STE 250
Seattle, WA 98121

Patricia D. Petersen
Chief Hearing Officer
Hearing Unit, OIC
PO Box 40255
Olympia, WA 98504-0255

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

I hereby certify that I have this day served a copy of this document upon all parties of record in this proceeding by mailing a copy thereof, properly addressed with postage prepaid, to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington, this 10th day of November, 2005.


Representative, Office
of Administrative Hearings

ORDER OF DISMISSAL - 2

RECEIVED

NOV 09 2005

OAH - Olympia

ATTACHMENT A

STATE OF WASHINGTON
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE OFFICE OF THE INSURANCE COMMISSIONER

In Re:


FIRST CHOICE HEALTH PLAN, INC.
Appellant

OAH Docket No. 2005-INS-003


STIPULATION TO WITHDRAWAL
OF DEMAND FOR HEARING AND
DISMISSAL OF MATTER

1. Appellant FIRST CHOICE HEALTH PLAN, INC. ("FCHP") hereby withdraws its Demand for Hearing in this matter.
2. Appellant FCHP and respondent Office of the Insurance Commissioner ("OIC") hereby stipulate that this matter shall be dismissed without prejudice and without costs to either party.
3. FCHP and OIC have each authorized its respective counsel of record in Proceeding G05-71 to execute this Stipulation on its behalf.

Blank Law & Technology P.S.

By 
C. Dean Little, Attorney
for First Choice Health Plan, Inc.Date: 11-8-05

Office of Insurance Commissioner

By 
Andrea Philhower, Staff Attorney
for Office of Insurance CommissionerDate: 11/9/05